

Dkt No.: 843A

Paper No.: _____

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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The Commissioner for Patents
P.O. BOX 1450
Arlington, VA 22313-1450

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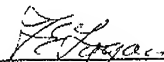
Serial No. 10/014,653, Filing Date 10-26-01
Applicant: James H. Trato
Art Unit: 1755
Examiner: Elizabeth D. Wood - 38-3802
Dkt. No.: 843A*Proposed* — AMENDMENT TO THE CLAIMS

Attached is a copy of Notice of Non-Compliant Amendment.
I can not read the name of Legal Instruments Examiner or his/her
phone no. to call with my questions.

Perhaps you can help. I have the amendment ready -- but would
like to be sure the format is correct. Would you agree to look
it over for compliance? I could fax the 6 pages to you.

P.S. Thank you for your phone call today at 8:55AM (8:55AM in California).

Respectfully submitted,


F. Eugene Logan, Reg. No. 27,352
Attorney for the ApplicantTelephone (714) 730-5553
Fax (714) 730-2119

CERTIFICATION OF FACSIMILE TRANSMISSION to 703-872-8310

I hereby certify that this paper is being facsimile transmitted to the Commissioner for Patents, P.O. Box 1450,
Alexandria, VA 22313-1450 on the date shown below. By: F. Eugene Logan, Attorney, Reg. No. 27,352.

Date: 11-14-03 Signature:  Telephone: (714) 730-5553 Fax: (714) 730-2119

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UNITED STATES PATENT AND TRADEMARK OFFICE

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COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
P.O. BOX 450
ALEXANDRIA, VA 22313-1450

Paper No.

Notice of Non-Compliant Amendment (37 CFR 1.121)

The amendment document filed on 10/29/03 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121, as amended on June 30, 2003 (see 68 Fed. Reg. 38611, Jun. 30, 2003). In order for the amendment document to be compliant, correction of the following item(s) is required. Only the corrected section of the non-compliant amendment document must be resubmitted (in its entirety), e.g., the entire "Amendments to the claims" section of applicant's amendment document must be re-submitted. 37 CFR 1.121(h).

THE FOLLOWING CHECKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

- ☐ 1. Amendments to the specification:
- ☐ A. Amended paragraph(s) do not include markings.
 - ☐ B. New paragraph(s) should not be underlined.
 - ☐ C. Other _____
- ☐ 2. Abstract:
- ☐ A. Not presented on a separate sheet. 37 CFR 1.72.
 - ☐ B. Other _____
- ☐ 3. Amendments to the drawings: _____
- ☐ 4. Amendments to the claims:
- ☒ A. A complete listing of all of the claims is not present.
 - ☐ B. The listing of claims does not include the text of all claims (including withdrawn claims)
 - ☐ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified.
 - ☒ D. The claims of this amendment paper have not been presented in ascending numerical order.
 - ☐ E. Other: _____

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP Sec. 714 and the USPTO website at <http://www.uspto.gov/web/offices/pac/dapp/opla/prenotice/officesflyer.pdf>.

If the non-compliant amendment is a **PRELIMINARY AMENDMENT**, applicant is given **ONE MONTH** from the mail date of this letter to supply the corrected section which complies with 37 CFR 1.121. Failure to comply with 37 CFR 1.121 will result in non-entry of the preliminary amendment and examination on the merits will commence without consideration of the proposed changes in the preliminary amendment(s). This notice is not an action under 35 U.S.C. 132, and this **ONE MONTH** time limit is **not extendable**.

If the non-compliant amendment is a reply to a **NON-FINAL OFFICE ACTION** (including a submission for an RCE), and since the amendment appears to be a *bona fide* attempt to be a reply (37 CFR 1.135(c)), applicant is given a **TIME PERIOD** of **ONE MONTH** from the mailing of this notice within which to re-submit the corrected section which complies with 37 CFR 1.121 in order to avoid abandonment. **EXTENSIONS OF THIS TIME PERIOD ARE AVAILABLE UNDER 37 CFR 1.136(a).**

If the amendment is a reply to a **FINAL REJECTION**, this form may be an attachment to an Advisory Action. The period for response to a final rejection continues to run from the date set in the final rejection, and is not affected by the non-compliant status of the amendment.

Philip Jean
Legal Instruments Examiner (LIE)

703-368-490
Telephone No.

Rev. 10/03